

House File 2422

H-8227

1 Amend House File 2422 as follows:

2 1. Page 2, line 13, after <administrator> by  
3 inserting <or owner>

4 2. Page 2, line 22, by striking <or immediately  
5 upon>

6 3. Page 2, by striking line 32 and inserting  
7 <in accordance with the federal Health Insurance  
8 Portability and Accountability Act of 1996, Pub. L. No.  
9 104-191, other state and federal regulations, and rules  
10 adopted by the department, to all of>

11 4. Page 3, line 24, by striking <residents or  
12 tenants> and inserting <residents, tenants, and staff  
13 of the facility or program>

14 5. Page 4, after line 1 by inserting:

15 <6. The department shall work with interested  
16 stakeholders in developing the proposed rules under  
17 this section.>

18 6. Page 4, line 2, by striking <6.> and inserting  
19 <7.>

20 7. Page 4, line 34, by striking <admit> and  
21 inserting <enter into a lease or occupancy agreement  
22 with>

23 8. Page 5, line 1, by striking <administrator> and  
24 inserting <manager or owner>

25 9. Page 5, after line 13 by inserting:

26 <Sec. \_\_\_\_ . PLACEMENT OF PERSONS REQUIRED TO  
27 REGISTER.

28 1. For purposes of this section, "adequate  
29 placement" means a placement that will provide the  
30 level of care necessary for a person including the  
31 level of care provided by a nursing facility or  
32 residential care facility.

33 2. For the period beginning July 1, 2012, through  
34 June 30, 2013, the department of human services, in  
35 compliance with federal and state law, shall secure  
36 adequate placements for persons required to register  
37 as a sex offender pursuant to chapter 692A who are  
38 being released from the custody of the department  
39 of corrections and require the type of medical  
40 and personal care provided by a nursing facility,  
41 residential care facility, or assisted living program;  
42 who are being discharged or transferred from nursing  
43 facilities, residential care facilities, or assisted  
44 living programs pursuant to a provision of this Act;  
45 or who require the type of medical and personal care  
46 provided by nursing facilities, residential care  
47 facilities, or assisted living programs when the  
48 persons are unable to gain access to a facility or  
49 program because the persons are required to register on  
50 the sex offender registry.

1 3. The department of human services may use a  
2 state facility to provide care for such persons or may  
3 conduct a request for proposal process to contract with  
4 a private facility to care for such persons. A request  
5 for proposals shall identify the reimbursement rate  
6 and the necessary training for staff in the facility  
7 or program.

8 4. The department of human services shall secure  
9 an adequate placement for such a person within ten  
10 business days of being notified by the department of  
11 corrections, the department of inspections and appeals,  
12 or a nursing facility, residential care facility,  
13 or assisted living program that placement is needed  
14 for such person, provided that such period shall not  
15 commence until the department of public safety receives  
16 and approves registration data and makes such data  
17 available on the sex offender registry internet site  
18 pursuant to section 692A.121, subsection 12.>

19 10. Page 7, line 13, after <aide,> by inserting  
20 <the office of the state long-term care ombudsman,>

21 11. Page 7, by striking line 16 and inserting:  
22 <c. Representatives of the health care industry and  
23 industry associations.>

24 12. Page 7, after line 20 by inserting:

25 <h. Other stakeholders as the department of  
26 inspections and appeals deems necessary.>

27 13. Page 7, line 21, by striking <h.> and inserting  
28 <i.>

29 14. Page 8, line 9, after <recommendations,> by  
30 inserting <regulatory challenges,>

31 15. Page 8, line 26, after <offenses.> by inserting  
32 <The treatment safety plan shall address the procedure  
33 for notifying other residents of the residency of a  
34 person required to register as a sex offender.>

35 16. Page 8, by striking lines 32 through 34 and  
36 inserting <placement for a person requiring commitment  
37 when the person also has a history of committing sexual  
38 offenses.>

39 17. Title page, line 1, after <notification> by  
40 inserting <in a nursing facility, residential care  
41 facility, or assisted living program>

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